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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,658	12/11/2003	Erik J. Burckart	LOT9-2003-0032-US1 (017)	8852
46321 7590 04/19/2007 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487			EXAMINER LONG, ANDREA NATAE	
			ART UNIT 2176	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/733,658	Applicant(s) BURCKART ET AL.	
	Examiner Andrea N. Long	Art Unit 2176	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Claims 1-17 have been examined in response to application filed on 12/11/2003.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 3 recites the limitation "wherein the step of transmitting further comprises" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 7-9, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrodi (Pub. No.: US 2004/0264376 A1), hereinafter "Schrodi" in view of Hinchliffe et al. (Pub No.: US 2003/0110280 A1), hereinafter "Hinchliffe".**

**As to independent claim 1, Schrodi teaches a method of conducting electronic meetings**  
(page 4 paragraph [0046] → Schrodi teaches prioritizing data traffic within a service such as a

web conference or other multimedia application). Schrodi does not teach assigning priority to groups for providing meeting events to the groups. Hinchliffe teaches defining one or more groups of participants (page 1 paragraph [0014] → taught as breaking the plurality of computers down into groups);

assigning a relative priority for each group, the relative priority for each group being unique to said group (page 1 paragraph [0014] → taught as the groups having an associated priority);

generating a meeting event for the electronic meeting (page 1 paragraph [0014] → taught as pushing a data update); and

triggering logic to provide the meeting event to the groups in a sequence ordered by the relative priority for each group (page 1 paragraph [0014] → taught as sending the update to the groups according to their priority level).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the electronic meeting of Schrodi with the updating of data and prioritization of groups of Hinchliffe to improve the efficiency and effectiveness of updating data in a computer network such as a web conference.

**As to dependent claim 2**, Hinchliffe teaches transmitting the meeting event to the groups in a sequence ordered by the relative priority for each group (page 1 paragraph [0014] → taught as sending the update to the groups according to their priority level).

**As to dependent claim 3**, Hinchliffe teaches staggering the transmitting of the meeting event to the groups by a pre-configured time interval (page 2 paragraph [0021] → taught as having time intervals for each group for updating data).

**As to independent claim 7**, Schrodi teaches a machine-readable storage having stored thereon a computer program for conducting electronic meetings, (page 4 paragraph [0046] → Schrodi teaches prioritizing data traffic within a service such as a web conference or other multimedia application). Schrodi does not teach assigning priority to groups for providing meeting events to the groups. Hinchliffe teaches defining one or more groups of participants in an electronic meeting (page 1 paragraph [0014] → taught as breaking the plurality of computers down into groups);

assigning a relative priority for each group, the relative priority for each group being unique to said group (page 1 paragraph [0014] → taught as the groups having an associated priority);

generating a meeting event for the electronic meeting (page 1 paragraph [0014] → taught as pushing a data update); and

triggering logic to provide the meeting event to the groups in a sequence ordered by the relative priority for each group (page 1 paragraph [0014] → taught as sending the update to the groups according to their priority level).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the electronic meeting of Schrodi with the updating of data and prioritization of

groups of Hinchliffe to improve the efficiency and effectiveness of updating data in a computer network such as a web conference.

**As to dependent claim 8**, Hinchliffe teaches transmitting the meeting event to the groups in a sequence ordered by the relative priority for each group (page 1 paragraph [0014] → taught as sending the update to the groups according to their priority level).

**As to dependent claim 9**, Hinchliffe teaches staggering the transmitting of the meeting event to the groups by a pre-configured time interval (page 2 paragraph [0021] → taught as having time intervals for each group for updating data).

**As to independent claim 13**, Schrodi teaches a system for conducting electronic meetings (page 4 paragraph [0046] → Schrodi teaches prioritizing data traffic within a service such as a web conference or other multimedia application). Schrodi does not teach assigning priority to groups for providing meeting events to the groups. Hinchliffe teaches a meeting server executing a meeting policy (page 4 paragraph [0041] configured to define one or more groups of participants in an electronic meeting (page 1 paragraph [0014] → taught as breaking the plurality of computers down into groups), and to assign a relative priority for each group, the relative priority for each group being unique to said group (page 1 paragraph [0014] → taught as the groups having an associated priority); and

triggering logic to provide a meeting event generated by the server to the groups in a sequence ordered by the relative priority for each group (page 1 paragraph [0014] → taught as sending the update to the groups according to their priority level).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the electronic meeting of Schrodi with the updating of data and prioritization of groups of Hinchliffe to improve the efficiency and effectiveness of updating data in a computer network such as a web conference.

**6. Claims 4, 5, 10, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukherjee (Pub. No.: US 2004/0215722 A1), hereinafter “Mukherjee”.**

**As to independent claim 4**, Mukherjee teaches a method of conducting electronic meetings having a plurality of participants (page 1 paragraph [0006] → taught as a collaboration session between a plurality of participants), comprising the steps of:

generating a meeting event (page 4 paragraph [0045]);

selecting at random a first group of participants from the plurality of participants (page 1 paragraph [0007] → taught as coupling groups of participants to a collaboration session), triggering logic to provide the meeting event to the first group of participants (page 4 paragraph [0045]), the first group having a maximum number of participants (page 4 paragraph [0043] [0044] → taught as the groups having limits if requested by the groups). While Mukherjee does not explicitly teach that there are a pre-configured maximum number of participants in a group,

Art Unit: 2176

he does disclose that the participants of the group can set a maximum number for the group.

Therefore a limit could be set for the group before the completion of the group.

It would have been obvious to one skilled in the art at the time the invention was made to have included having a preconfigured maximum number of participants in a group to allow for enhanced the exchange of data within the collaboration system.

**As to dependent claim 5**, Mukherjee teaches transmitting the meeting event to the first group of participants (page 4 paragraph [0045]).

**As to independent claim 10**, Mukherjee teaches a machine readable storage having stored thereon a computer program for conducting electronic meetings having a plurality of participants (page 1 paragraph [0006] → taught as a collaboration session between a plurality of participants), said computer program comprising a routine set of instructions which when executed by a machine cause the machine to perform the steps of:

generating a meeting event (page 4 paragraph [0045]);

selecting at random a first group of participants from the plurality of participants (page 1 paragraph [0007] → taught as coupling groups of participants to a collaboration session), triggering logic to provide the meeting event to the first group of participants (page 4 paragraph [0045]), the first group having a maximum number of participants (page 4 paragraph [0043] [0044] → taught as the groups having limits if requested by the groups). While Mukherjee does not explicitly teach that there are a pre-configured maximum number of participants in a group,



Art Unit: 2176

he does disclose that the participants of the group can set a maximum number for the group.

Therefore a limit could be set for the group before the completion of the group.

It would have been obvious to one skilled in the art at the time the invention was made to have included having a preconfigured maximum number of participants in a group to allow for enhanced the exchange of data within the collaboration system.

**As to dependent claim 11**, Mukherjee teaches transmitting the meeting event to the first group of participants (page 4 paragraph [0045]).

**As to independent claim 14**, Mukherjee teaches a system for conducting electronic meetings having a plurality of participants (page 1 paragraph [0006] → taught as a collaboration session between a plurality of participants), comprising:

a meeting server executing a meeting policy (Figures 1 and 2, page 1 paragraph [0004]) configured to select at random a group of participants from the plurality of participants (page 1 paragraph [0007] → taught as coupling groups of participants to a collaboration session), triggering logic to provide a meeting event generated by the server to the group of participants (page 4 paragraph [0045]), the group having a maximum number of participants (page 4 paragraph [0043] [0044] → taught as the groups having limits if requested by the groups).

While Mukherjee does not explicitly teach that there are a pre-configured maximum number of participants in a group, he does disclose that the participants of the group can set a maximum number for the group. Therefore a limit could be set for the group before the completion of the group.

It would have been obvious to one skilled in the art at the time the invention was made to have included having a preconfigured maximum number of participants in a group to allow for enhanced the exchange of data within the collaboration system.

**7. Claims 6, 12, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukherjee in view of Hinchliffe.**

**As to dependent claim 6**, Mukherjee teaches selecting at random additional groups of participants from the plurality of participants (page 1 paragraph [0007] → taught as coupling groups of participants to a collaboration session), each additional group having a pre-configured maximum number of participants (page 4 paragraph [0043] [0044] → taught as the groups having limits if requested by the groups). While Mukherjee does not explicitly teach that there are a pre-configured maximum number of participants in a group, he does disclose that the participants of the group can set a maximum number for the group. Therefore a limit could be set for the group before the completion of the group. Mukherjee teaches wherein every additional group only includes participants not previously included in any other group of participants (page 4 paragraph [0044] → taught as having passwords for entering a specific group designated for that participant;

transmitting the meeting event to the additional groups of participants (page 4 paragraph [0045])). Mukherjee does not teach staggering the meeting events. Hinchliffe teaches staggering the transmitting of the meeting event to the additional groups by a pre-configured

time interval (page 2 paragraph [0021] → taught as having time intervals for each group for updating data).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the electronic meeting of Mukherjee with the staggering of events of Hinchliffe to improve the efficiency and effectiveness of updating data in a collaboration session.

**As to dependent claim 12**, Mukherjee teaches selecting at random additional groups of participants from the plurality of participants (page 1 paragraph [0007] → taught as coupling groups of participants to a collaboration session), each additional group having a pre-configured maximum number of participants (page 4 paragraph [0043] [0044] → taught as the groups having limits if requested by the groups). While Mukherjee does not explicitly teach that there are a pre-configured maximum number of participants in a group, he does disclose that the participants of the group can set a maximum number for the group. Therefore a limit could be set for the group before the completion of the group. Mukherjee teaches wherein every additional group only includes participants not previously included in any other group of participants (page 4 paragraph [0044] → taught as having passwords for entering a specific group designated for that participant;

transmitting the meeting event to the additional groups of participants (page 4 paragraph [0045])). Mukherjee does not teach staggering the meeting events. Hinchliffe teaches staggering the transmitting of the meeting event to the additional groups by a pre-configured time interval (page 2 paragraph [0021] → taught as having time intervals for each group for updating data).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the electronic meeting of Mukherjee with the staggering of events of Hinchliffe to improve the efficiency and effectiveness of updating data in a collaboration session.

**As to independent claims 15**, Mukherjee teaches a collaboration system for communication between a plurality of groups and sending data to each of the groups (page 4 paragraph [0045]). However Mukherjee does not teach an e-meeting update method comprising the step of inducing individual e-meeting updates at different times for different selections of e-meeting participants. Hinchliffe teaches sending updated data to different groups at different times based on the priority level of each group (page 1 paragraph [0014] → taught as sending the update to the groups according to their priority level).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the collaboration system of Mukherjee with the updating of Hinchliffe to improve the efficiency and effectiveness of updating data in a collaboration system.

**As to dependent claim 16**, Hinchliffe teaches wherein said inducing step comprises the step of inducing individual e-meeting updates at different times for random selections of said e-meeting participants (page 2 paragraph [0018] → taught as having groups which exceed a size, split up into smaller groups and having additional push down tasks).

**As to dependent claim 17**, Hinchliffe teaches wherein said inducing step comprises the step of inducing individual e-meeting updates at different times according to a pre-defined

sequence for particular ones of said e-meeting participants (page 2 paragraph [0021] → taught as having time intervals for each group for updating data).

*Conclusion*

8. The prior art made of record on Form PTO 892 and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long  
04/08/2007

*William S. Bashore*  
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**PRIMARY EXAMINER**